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#81.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant : Thomas THOROE SCHERB
Appln. No : 09/769,462
Filed : January 26, 2001
For : MACHINE AND PROCESS FOR PRODUCING A TISSUE WEB

Group Art Unit: 1731

Examiner: Unknown

Commissioner of Patents and Trademarks
Washington, DC 20231

RECEIVED

OCT 23 2001

TC 1700

Sir :

In accordance with the duty of disclosure under 37 C.F.R. Sections 1.56, 1.97, and 1.98,
Applicant hereby submits the following documents for the Examiner's consideration.

Applicant submits herewith a copy of a European Search Report dated September 28, 2001
conducted in European Patent Application No. 00127653.4-2314, which is a counterpart of the
above-captioned application. In particular, the European Examiner cited:

(1) International Publication No. WO 96/35018, published November 7, 1996, as a "Y"
category document (i.e., a document that calls into question the inventive step when considered with
another document from this category). In particular, the Examiner noted the Abstract, claims 8, 13,
and 15, page 7, lines 21 - 30, page 9, line 27 - page 10, line 5, and Figure 5 as relevant to claims 1 -
13, 15 - 18, and 20 - 25 of the European application. For the Examiner's convenience, Applicant

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submits herewith a copy of U.S. Patent No. 6,203,663 B1 issued to Kamps et al. on March 20, 2001, which is identified by the annex to the Search Report as a U.S. Patent family member of the above-cited document;

(2) German Patent Application No. 42 24 730 C1 issued September 2, 1993, as a "Y" category document. In particular, the Examiner noted columns 2 - 5, and the Figures as relevant to claims 1 - 5, 8 - 13, 15 - 18, and 20 - 25 of the European application. Applicant notes that a copy of the above-cited document as well as a copy of U.S. Patent No. 5,393,384 issued to Steiner et al. on February 28, 1995, which is a U.S. Patent family member of the above-cited document, were submitted in an Information Disclosure Statement filed with the U.S. Patent and Trademark Office on April 26, 2001. Therefore, copies are not being submitted herewith;

(3) German Patent Application No. 196 54 198 A1, published June 25, 1998, as a "Y" category document. In particular, the Examiner noted column 4, lines 42 - 62 and claims 18 - 23 as relevant to claims 6 and 7 of the European application. Applicant notes that a copy of the above-cited document as well as a copy of U.S. Patent No. 6,004,429 issued to Schiel on December 21, 1999, which is a U.S. Patent family member of the above-cited document, were submitted in an Information Disclosure Statement filed with the U.S. Patent and Trademark Office on April 26, 2001. Therefore, copies are not being submitted herewith;

(4) U.S. Patent No. 5,654,076 issued to Trokhan et al. on August 5, 1997, as an "A" category document (i.e., a document relevant to the technological background of the invention). In particular, the Examiner noted the Abstract, column 13, lines 11 - 44 and Figures 4 - 6 as relevant to claims 1 and 15 of the European application. For the Examiner's convenience, Applicant submits

the following U.S. Patents which are identified by the Annex to the Search Report as U.S. Patent family members of the above-cited document: U.S. Patent No. 5,534,326 issued to Trokhan et al. on July 9, 1996; U.S. Patent No. 6,136,146 issued to Phan et al. on October 24, 2000; and U.S. Patent No. 5,527,428 issued to Trokhan et al. on June 18, 1996;

(5) U.S. Patent No. 3,322,617 issued May 30, 1967 to Osborne on May 30, 1967, as an "A" category document. In particular, the Examiner noted column 3, line 34 - column 4, line 24 and Figures 1 - 3 as relevant to claims 13 and 24 of the European application;

(6) German Patent Application No. 43 27 601 C1 issued January 5, 1995, as an "A" category document. In particular, the Examiner noted the Abstract and Figures as relevant to claim 14 of the European application. For the Examiner's convenience, Applicant submits herewith a copy of U.S. Patent No. 5,517,714 issued to Kotitschke on May 21, 1996, which is identified by the Annex to the Search Report as a U.S. patent family member of the above-cited document; and

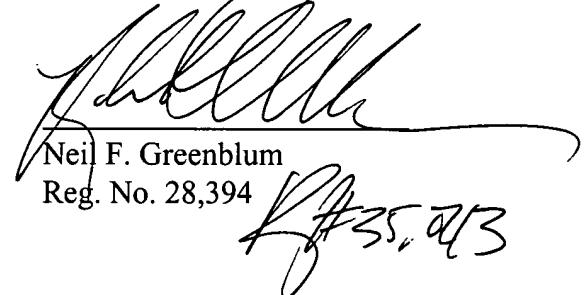
(7) German Patent Application No. 197 32 879 A1, published February 4, 1999, as an "A" category document. In particular, the Examiner noted the Abstract, Claims and Figures as relevant to claims 1 and 15 of the European application. Applicants note that a copy of the above-cited document was submitted in an Information Disclosure Statement filed on April 26, 2001. Therefore, a copy of the above-cited document is not being submitted herewith.

Copies of the above-listed documents are enclosed (including a copy of the European Search Report) as is a completed copy of the PTO-1449 Form listing these documents. Accordingly, the Examiner is requested to consider these documents and to indicate such consideration by returning a signed and initialed copy of the PTO-1449 Form with the first official communication.

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Should there be any question or comments, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Thomas THOROF SCHERB



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October 19, 2001
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